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1 (In the presence of the Court and defense counsel)

2 THE COURT: I'm going to begin by asking you some  
3 questions, Mr. Guo.

4 Would you swear the defendant, please?

5 (Defendant sworn)

6 THE COURT: You may be seated.

7 Is it still your wish to no longer be represented by  
8 the attorneys who are present in the courtroom today?

9 THE DEFENDANT: Yes, dear Judge.

10 THE COURT: Ms. Shroff, Mr. Kamaraju, and  
11 Mr. Schirick, is it still your view that the communication  
12 between you and your client has irrevocably broken down?

13 MS. SHROFF: Yes, your Honor.

14 THE COURT: Based on Mr. Guo's and his attorney's  
15 statements today, as well as the statements made during the  
16 *ex parte* hearing on December 20, and in defense counsel's  
17 letters, dated December 10 and January 28, I have determined  
18 that communication between Mr. Guo and his lawyers has  
19 irrevocably broken down. I, therefore, intend to grant defense  
20 counsel's motion to withdraw.

21 I've also determined that it is necessary and  
22 appropriate for me to appoint counsel to represent Mr. Guo  
23 under the Criminal Justice Act. Over the last five weeks, my  
24 law clerks and I, as well as the career staff at the Southern  
25 District of New York, have gone to great lengths to identify

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1 CJA counsel that can represent Mr. Guo without a conflict of  
2 interest. I have not yet identified a lawyer who is not  
3 conflicted, including the Federal Defenders. I am hopeful that  
4 I will find such an attorney.

5 I am going to add that I believe that although some  
6 stated they were conflicted, I believe they actually were  
7 disinclined.

8 When I identify an attorney, I will grant defense  
9 counsel's motion to withdraw and order that the new attorney or  
10 attorneys be substituted. In my order, I will direct that  
11 Mr. Guo's withdrawing attorneys, that is Mr. Kamaraju,  
12 Ms. Shroff, and Mr. Schirick, stand ready to assist Mr. Guo's  
13 new counsel to the maximum extent possible so that we can  
14 proceed promptly to sentencing without further delay.

15 Is there anything further before I invite the  
16 government to return?

17 MS. SHROFF: No, your Honor.

18 THE COURT: All right. The portion of the transcript  
19 covering this *ex parte* matter shall be sealed and accessible to  
20 the Court and the defense.

21 I'd like the government to return.

22 (Continued on next page)

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